

§ 52.1586

40 CFR Ch. I (7–1–13 Edition)

such approval of the State's SIP revision.

[72 FR 62352, Nov. 2, 2007, as amended at 76 FR 48370, Aug. 8, 2011]

§ 52.1586 Section 110(a)(2) infrastructure requirements.

(a) *1997 8-hour ozone and the 1997 and 2006 PM_{2.5} NAAQS.* (1) *Approval.* In a February 25, 2008 submittal and supplemented on January 15, 2010, New Jersey certified that the State has satisfied the Clean Air Act (CAA) infrastructure requirements of section 110(a)(2) for the 1997 8-hour ozone and the 1997 and 2006 PM_{2.5} NAAQS. These submittals satisfy the 1997 8-hour ozone and the 1997 and 2006 PM_{2.5} NAAQS requirements of CAA sections 110(a)(2)(A), (B), (C) (enforcement program only), (D)(i)(II) prong 4 (visibility), (E)(i), (F), (H), (J) (consultation and public notification only), (K), (L), and (M).

(2) *Disapproval.* Submittal from New Jersey dated February 25, 2008 and supplement dated January 15, 2010 to address the CAA infrastructure requirements for the 1997 8-hour ozone and the 1997 and 2006 PM_{2.5} NAAQS are disapproved for the following sections 110(a)(2)(C) (PSD program only), (D)(i)(II) (PSD program only), (D)(ii), and (J) (PSD program only). These requirements are being addressed by 40 CFR 52.1603 which has been delegated to New Jersey to implement.

(3) *Conditional approval.* Submittal from New Jersey dated February 25, 2008 and supplement dated January 15, 2010 to address the CAA infrastructure requirements for the 1997 8-hour ozone and the 1997 and 2006 PM_{2.5} NAAQS are conditionally approved for the following sections 110(a)(2)(E)(ii) (conflict of interest provisions), (E)(iii) (delegations), and for the 1997 8-hour ozone element section 110(a)(2)(G)(emergency powers). This conditional approval is contingent upon New Jersey taking actions to meet requirements of these elements within one year of conditional approval, as committed to in a letter from the State to EPA Region 2 dated May 2, 2013.

(b) [Reserved]

[78 FR 35765, June 14, 2013]

EFFECTIVE DATE NOTE: At 78 FR 35765, June 14, 2013, § 52.1586 was added, effective July 15, 2013.

§§ 52.1587–52.1600 [Reserved]

§ 52.1601 Control strategy and regulations: Sulfur oxides.

(a) The applicable limitation on the sulfur content of fuel marketed and used in New Jersey until and including March 15, 1974, as set forth in N.J.A.C. subchapter 7:1–3.1 is approved, except that the use of coal in the following utility plants and boiler units is not approved:¹

Company	Plant	City	Boiler unit(s)
Atlantic City Electric	Deepwaters	Deepwaters	5/7, 7/9, 3/5, 4/6.
Public Service Electric & Gas	Essex	Newark	All.
Do	Sewaren	Woodbridge	Do.
Do	Bergen	Bergen	No. 1.
Do	Burlington	Burlington	1–4.
Do	Kearney	Kearney	All.
Do	Hudson	Jersey City	No. 1.
Jersey Central Power & Light	Sayreville	Sayreville	All.
Do	E. H. Werner	South Amboy	Do.

(b) Before any steam or electric power generating facility in Zone 3, as defined in N.J.A.C. 7:27–10.1, burning fuel oil on June 4, 1979, having a rated hourly gross heat input greater than 200,000,000 British Thermal Units

(BTU's), and capable of burning coal without major reconstruction or construction, which facility was in operation prior to May 6, 1968, or group of such facilities having a combined rated hourly capacity greater than 450,000,000

¹Action by the Administrator regarding coal conversion at the listed plants and units is being held in abeyance until the Administrator determines whether and to what ex-

tent that conversion cannot be deferred, based on analysis of fuel allocations for residual oil and coal in the Mid-Atlantic and New England States.